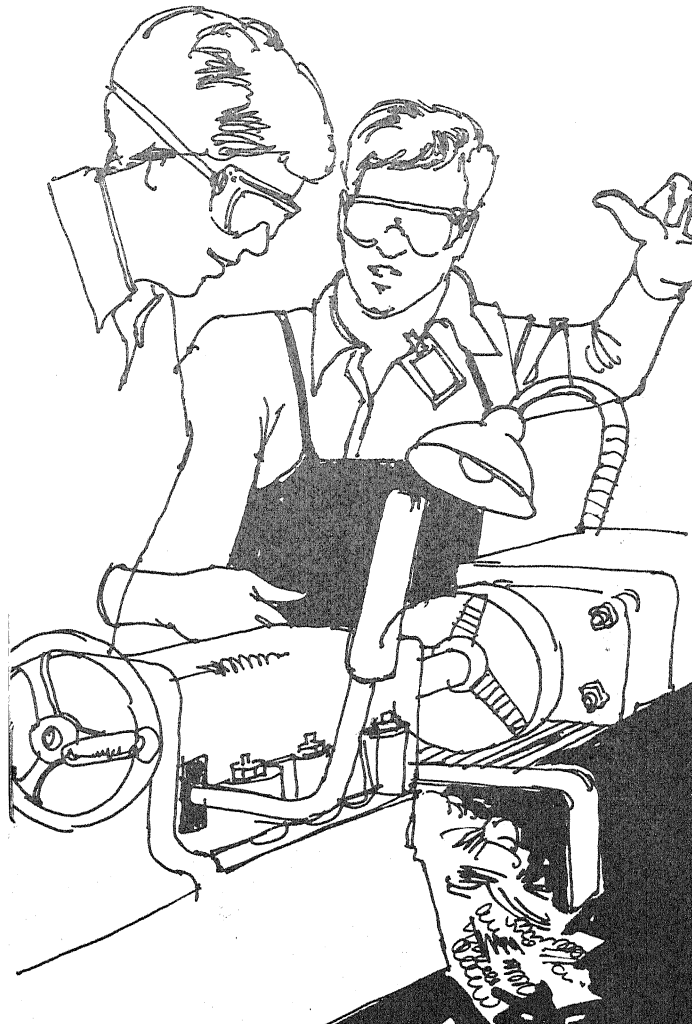


**Equal  
Opportunity  
in Apprenticeship:  
A Guide for  
Program Sponsors**



U.S. Department of Labor  
Employment and Training Administration

*Item 0780-A-03*









On May 12, 1978, the Department of Labor published revised regulations on equal employment opportunity in apprenticeship and training (title 29, subtitle A, Code of Federal Regulations (CFR), part 30). The principal change from the Department's earlier regulations is the addition of specific requirements on affirmative action for women to the previous provisions on equal employment opportunity.

This folder gives a brief explanation of the scope of these regulations and exactly what they require. It also lists some activities supported by the Department of Labor that can help program sponsors reach their affirmative action goals.

### **What programs are covered?**

The Federal regulations or State codes patterned after them apply to apprenticeship programs registered with the U.S. Department of Labor or a State apprenticeship agency or council recognized by the Department. In addition, programs, including those not registered by the Labor Department or a State, must comply with the equal employment opportunity requirements of the Civil Rights Act of 1964 and State laws.

### **What do the regulations require?**

They outline a procedure for determining underutilization of women and minorities in an apprenticeship program and require programs found to underutilize one or both of these groups to take affirmative action and set goals and timetables.

### **How do the regulations define underutilization?**

Underutilization, as used in the regulations, refers to a situation in which fewer



minorities and/or women (minority and nonminority) are employed in the craft or crafts represented by the apprenticeship program than could reasonably be expected from an analysis of the following factors:

1. The number of minority members and women in the working-aged population of the program's labor market area.
  2. The number of minority members and women in the labor force of the program's labor market area.
  3. The percentage of minorities and women among apprentices in the particular crafts compared with the percentage of these groups in the area's labor force.
  4. The percentage of minorities and women employed as craft workers by employers participating in the program, compared with the percentage of these groups in the sponsor's labor market area.
- A related factor is the extent to which the sponsor should be expected to correct any deficiencies through goals and timetables for the selection of apprentices.
5. The general availability of minorities and women who have the present or potential capabilities needed for apprenticeship.

### **What is affirmative action?**

Affirmative action consists of activities to equalize opportunity in apprenticeship so permit full use of the work potential and women. It involves to identify, recruit, motivate, initial apprentices from these ls and timetables participation.

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analysis shows that it underutilizes minorities or women. The principal elements of such a plan are (1) outreach and positive recruitment and (2) goals and timetables. Programs with fewer than five apprentices are not required to have written plans but must provide equal employment opportunity to all applicants and apprentices.

**How do program sponsors set goals and timetables?**

In general, sponsors should base their goals and timetables on an analysis of the program's underutilization of minorities and women and its entire affirmative action plan. In setting the goals, a sponsor should consider the results that could reasonably be expected from good faith efforts to make the program's overall affirmative action plan work.

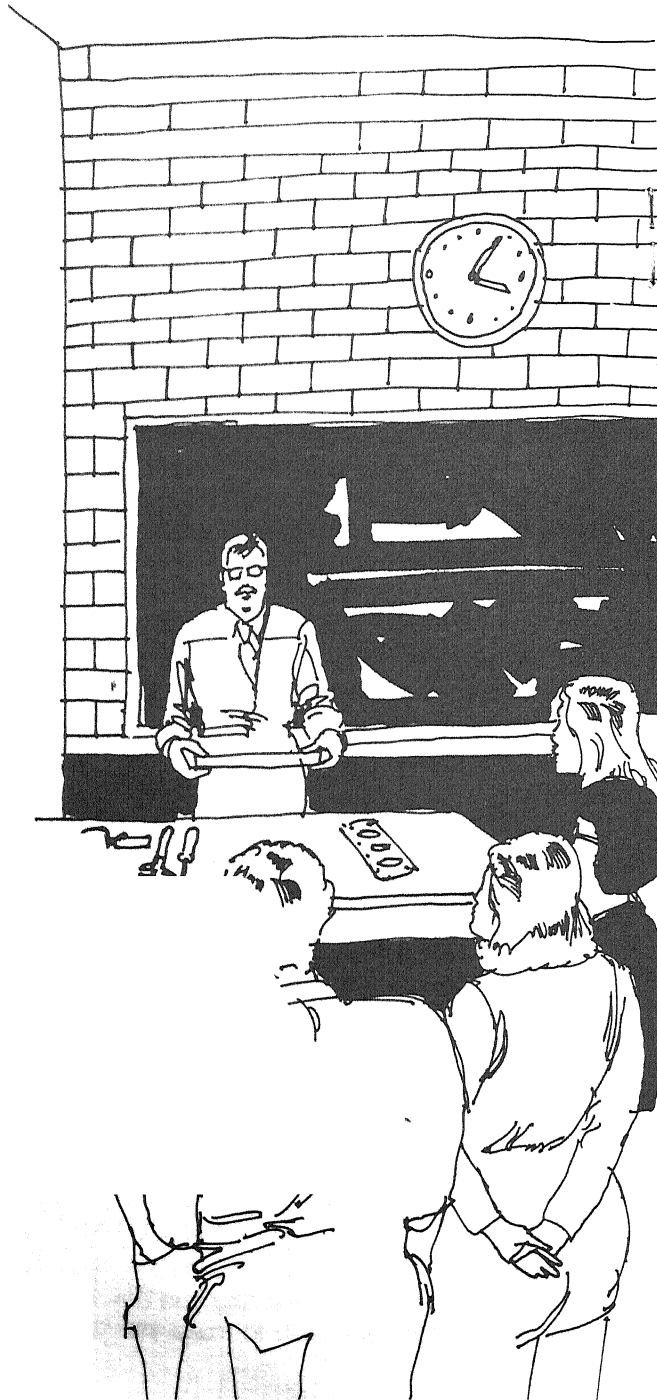
**Do the revised regulations contain new requirements on goals for women?**

Yes. The initial goal for the proportion of women in the entering year class of apprentices is generally expected to be not less than half of women's proportion of the work force in the program sponsor's labor market area. For more advanced classes, the initial percentage goals are to be not less than the participation rate of women currently in the preceding class.

**What happens if a program falls short of meeting its goals within its timetables?**

Sanctions may be imposed—but not so long as the program sponsor makes good faith efforts to meet them. Good faith efforts consist of following the program's affirmative action plan and attempting to make it work, including evaluating and changing it where necessary to make the







greatest possible progress toward its goals.

Sponsors are never penalized for shortfalls resulting from circumstances beyond their control. If, for example, a program has fewer vacancies than expected, the employer would not be subject to sanctions, because the Government does not expect an employer to replace present employees or hire unneeded workers to meet the goal. Similarly, sanctions are not imposed if an employer has made good faith efforts to recruit minority members and women for the group considered for selection but has been unable to include sufficient numbers to meet the goal.

### **Do equal opportunity regulations affect the way program sponsors select their apprentices?**

They do not affect reasonable selection standards, such as requiring that applicants be physically able to do the work of the trade, meet normal age requirements, such as being at least 18 years old, and have a high school diploma or its equivalent. In addition, they permit tests to measure aptitude for the trade and ability to complete required course work; and they allow interviews and other procedures to gauge the applicants' motivation to learn the skill and willingness to accept the obligations of apprenticeship and work toward becoming skilled craft workers.

The objective of the regulations is to assure that selection procedures do not discriminate against applicants because of their race, color, religion, national origin, or sex. Thus program sponsors must use approved selection procedures, and any test or standard adversely affecting apprenticeship opportunities for minorities



and/or women must be validated. The Department of Labor has approved three ways of selecting apprentices:

1. On the basis of rank in scores on validated tests.
2. At random from a pool of eligible applicants, set up in accordance with standards validated by the Department of Labor.
3. From a pool of current employees, following the terms of any collective-bargaining agreement or company promotion policy.

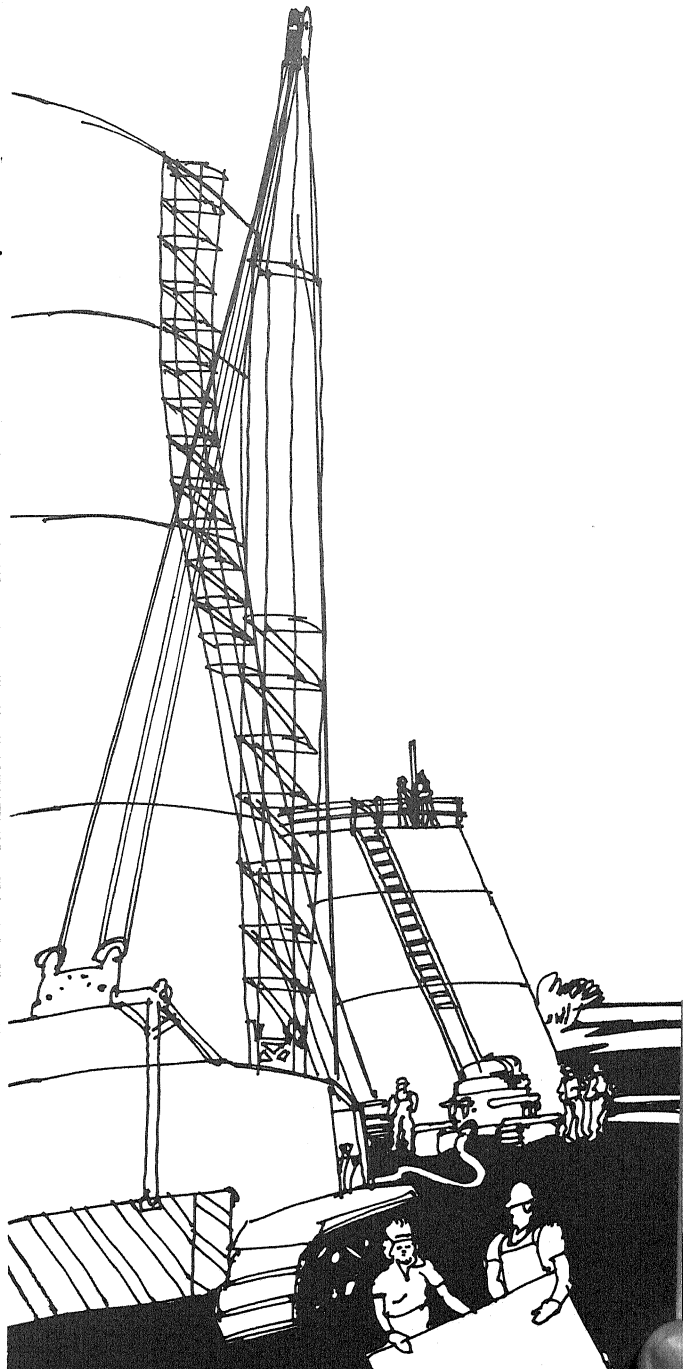
In addition, the sponsor may use a combination of these methods or a different procedure, provided the Department of Labor or appropriate State apprenticeship agency approves the system used.

### **How can an apprenticeship program meet its affirmative action goals without changing its selection standards?**

The key to doing so is bringing more minority members and women into the pool of eligible applicants. A few activities that can increase the number of applicants from these groups are:

- Preparing current material that explains the work performed by the trade or craft and the qualifications for the apprenticeship program.
- Distributing this material to employment service offices, school counselors, community groups, and minority and women's organizations.
- Notifying these groups of apprenticeship openings well before the earliest date for application. Information should also go to the apprenticeship outreach programs and information centers (see the following section on Department of Labor assistance).







- Participation in school career days, workshops, and other activities for students, to inform and motivate potential apprenticeship applicants.
- Providing inplant training to help current employees qualify for apprenticeship.

### **What assistance does the Department of Labor provide?**

It supports a variety of efforts to help young people—especially minority and female youth—prepare for and enter apprenticeship. Some of these programs are:

- Apprenticeship Outreach Programs in about 100 cities search out minority youth and young women and give them counseling and other services to help them compete successfully for apprenticeship openings.
- Apprenticeship Information Centers, operating through the public employment service in 42 cities, provide comprehensive information about apprenticeship training and refer qualified applicants to program sponsors.
- Job Corps centers across the country give disadvantaged youth pre-apprenticeship training in many different skills.
- A public awareness campaign directed to women, prospective employers, placement counselors, and others is being conducted to increase the number of women in apprenticeship.



## Where to Get More Information

For further information or technical assistance on affirmative action in apprenticeship and training, get in touch with the nearest State apprenticeship agency office or the Bureau of Apprenticeship and Training, Employment and Training Administration, U.S. Department of Labor, Room 5000, 601 D Street, N.W., Washington, D.C. 20213. Or get in touch with any of the Bureau's regional offices at the following addresses:

### **Boston**

Room 1001, JFK Federal Bldg.,  
Government Center, 02203  
(617) 223-6740

### **New York**

Room 3731  
1515 Broadway and 44th Street, 10036  
(212) 339-5456

### **Philadelphia**

Room 13240, Gateway Bldg.  
3535 Market Street, 19104  
(215) 596-6417

### **Atlanta**

Room 700  
1371 Peachtree Street, N.E., 30309  
(404) 881-4405

### **Chicago**

7th Floor, Column #5  
230 South Dearborn Street, 60604  
(312) 353-7205

### **Dallas**

Room 858, Griffin and Young Streets  
555 Griffin Square Building, 75202  
(214) 767-4993

### **Kansas City**

1100 Federal Office Bldg.  
911 Walnut Street, 64106  
(816) 374-3856

### **Denver**

Room 476, U.S. Custom House  
721 19th Street, 80202  
(303) 837-4791

### **San Francisco**

Room 344, 211 Main Street, 94105  
(415) 556-1186

### **Seattle**

8014 Federal Office Bldg.  
909 First Avenue, 98174  
(206) 442-5286